

**UNITED STATES DISTRICT COURT
DISTRICT OF IDAHO**

UNITED STATES OF AMERICA

Case No.: **CR 04-084-E-BLW**

Plaintiff.

vs.

NOTICE

PETE A. KARABOYAS

Defendant(s).

TAKE NOTICE that an **ARRAIGNMENT** on the enclosed **Superseding Indictment** for the above-named defendant is set for **September 28, 2004 9:15 A.M.** in the United States Courthouse, 550 West Fort Street, Boise, Idaho, Fifth Floor, before U.S. Magistrate Judge Larry M. Boyle

The United States Attorney's Office has advised the Court that the indictment contains no new counts or substantial amendments to the criminal counts against your client. Only technical or minor changes have been made as it pertains to your client. These amendments do not affect the maximum penalty, or implicate the defendant's right to have an additional thirty (30) days to prepare for trial under 18 U.S.C. §3161(c)(2).

The opportunity is extended to the defendant who has previously appeared in this case and who intends to plead not guilty to this superseding indictment, to enter this plea in writing rather than appearing in open court for arraignment. If the defendant wishes to proceed in this manner, the defendant and attorney shall sign the enclosed Not Guilty Plea form and **shall have it filed with the court no later than September 23, 2004**, after which it will be placed in the record.

If the written plea is not filed by the above-mentioned date, it will be deemed that the defendant has not elected this option. The defendant shall appear at the place and time designated in the first paragraph of this Notice for arraignment on the Superseding Indictment for the purpose of entering an oral plea.

Regardless of the option selected by the defendant to enter a plea on the charges listed in the superseding indictment, the jury trial will remain set **November 8, 2004 1:30 P.M. before U.S. District Judge B. Lynn Winmill.**

DATED: August 26, 2004

CAMERON S. BURKE
CLERK OF THE COURT



By: Darlene Hand
Deputy Clerk

cc: Michael J. Fica, AUSA
Kevin Peterson
U.S. Marshal
U.S. Probation

UNITED STATES DISTRICT COURT
DISTRICT OF IDAHO

UNITED STATES OF AMERICA

Case No.: **CR 04-084-E-BLW**

Plaintiff.

v.

ACKNOWLEDGMENT AND
WRITTEN PLEA OF
NOT GUILTY TO
SUPERSEDING INDICTMENT

PETE A. KARABOYAS

Defendant.

I acknowledge that I have received a copy of the Superseding Indictment dated August 24, 2004, and am aware of the charge(s) against me. I have reviewed those charge(s) listed in the Superseding Indictment with counsel.

I acknowledge that the superseding indictment does not include any new counts or substantial amendments to the criminal counts against me. Only technical or minor changes have been made to the indictment.

I acknowledge that the changes made in the Superseding Indictment do not affect the maximum penalty, or implicate an additional thirty (30) days to prepare for trial under 18 USC §3161(c)(2).

I further acknowledge that an arraignment has been set for **September 28, 2004 9:15 A.M.**, in this matter and that I have a right to appear in open court with my attorney to enter my plea to the charge(s) in the Superseding Indictment.

I acknowledge that I am required to enter a plea to these charge(s) and elect to file a written plea of not guilty to the count(s) listed in the Superseding Indictment.

Therefore, my plea to each count charged in the Superseding Indictment is **NOT GUILTY** and, I hereby consent to having my plea entered by the court without my appearance.

I further acknowledge that the conditions of my release previously set remain in effect and I remain bound thereby,

I also acknowledge that my trial on this Superseding Indictment remains set **November 8, 2004 1:30 P.M., before U.S. District Judge B. Lynn Winmill.**

DATED:

Signature of Defendant

Signature of Attorney for Defendant

ACCEPTANCE OF WRITTEN NOT GUILTY PLEA

The above written Not Guilty Plea of defendant, PETE A. KARABOYAS, is hereby accepted by this court and entered into the record.

DATED:

Signature of U.S. Magistrate Judge

cc: Michael J. Fica, AUSA
Kevin Peterson, Defense Attorney
U.S. Probation

United States District Court
for the
District of Idaho
August 26, 2004

* * CLERK'S CERTIFICATE OF MAILING * *

Re: 4:04-cr-00084

I certify that I caused a copy of the attached document to be mailed or faxed to the following named persons:

Michael Joseph Fica, Esq. 1-208-478-4175
US ATTORNEY
801 E Sherman
Pocatello, ID 83201

Kevin C Peterson, Esq. 1-208-782-0348
PO Box 1387
Blackfoot, ID 83221

U.S. Marshal
HAND DELIVERED

Probation
HAND DELIVERED

____ Chief Judge B. Lynn Winmill
____ Judge Edward J. Lodge
____ ✓ Chief Magistrate Judge Larry M. Boyle
____ Magistrate Judge Mikel H. Williams

Visiting Judges:
____ Judge David O. Carter
____ Judge John C. Coughenour
____ Judge Thomas S. Zilly

Cameron S. Burke, Clerk

Date: 8-26-04

BY: DN
(Deputy Clerk)